

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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CIVIL RIGHTS CORPS, CYNTHIA GODSOE, NICOLE
SMITH FUTRELL, DANIEL S. MEDWED, JUSTIN
MURRAY, ABBE SMITH, and STEVEN ZEIDMAN,

Plaintiffs,

-against-

STEVEN STEIN CUSHMAN, Corporation Counsel of the
City of New York, in his official capacity; GEORGIA
PESTANA, in her personal capacity; MELINDA KATZ, the
District Attorney for Queens County, in her official and
personal capacity; ANDREA E. BONINA, Chair of the State
of New York Grievance Committee for the Second, Eleventh,
and Thirteenth Judicial District, in her official and personal
capacity; DIANA MAXFIELD KEARSE, Chief Counsel of
the State of New York Grievance Committee for the Second,
Eleventh, and Thirteenth Judicial Districts, in her official and
personal capacity; and HECTOR D. LASALLE, Presiding
Justice of the Second Justice Department of the Appellate
Division of the Supreme Court of the State of New York, in
his official capacity,

Defendant(s).

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VALERIE FIGUEREDO, United States Magistrate Judge:

The Court held a telephonic conference on March 21, 2023. During the conference,
the parties reached an agreement regarding the scope and timing to complete discovery in this
case.

As such, Whereas Plaintiffs have agreed to dismiss, without prejudice, Counts I, II and
V of the Complaint against all State Defendants, and have agreed to dismiss, without
prejudice, all claims against Diana Kearse and Andrea Bonina in their official and personal
capacities (a formal stipulation of dismissal to be filed separately), the Court will lift the stay
of discovery to be conducted for the purpose of and in the manner so ordered below.

21-CV-9128 (VM) (VF)
ORDER

It is ORDERED that discovery shall be limited to documents regarding the attorney grievance committee procedures relating to Count IV of Plaintiffs' Complaint, and shall be completed on or before May 22, 2023.

It is further ORDERED that the State Defendants shall produce, on or before April 24, 2023, documents about the attorney grievance committee procedures, including those relevant to supporting or opposing any motion for summary judgment on Count IV of the Complaint.

It is further ORDERED that Plaintiffs and State Defendants shall, within the same timeframe, identify any declarant on whom they intend to rely in support of or in opposition to any motion for summary judgment on Count IV of the Complaint.

It is further ORDERED that Plaintiffs and State Defendants may depose any individuals identified in the prior paragraph on issues relating to attorney grievance committee procedures, including those relevant to supporting or opposing any motion for summary judgment on Count IV of the Complaint, and that no other topics or depositions will be permitted without leave of the Court.

At the conclusion of the discovery period, on or before May 26, 2023, the parties will jointly update the District Court and Plaintiffs will renew their request to file a summary judgment motion. State Defendants will not oppose Plaintiffs' post-discovery request to move for summary judgment and reserve the right to request permission to cross-move for summary judgment at the conclusion of the discovery period.

SO ORDERED.

DATED: New York, New York
March 24, 2023



VALERIE FIGUEREDO
United States Magistrate Judge